

MAGISTRATE'S ADMONITIONS UNDER CCP §15.17, PROBABLE CAUSE ORDER & ORDER SETTING BOND

Date:

Time:

Defendant:

Date of Birth:

Charge:

Date of Arrest:

Time of Arrest:

The undersigned Magistrate determined if Defendant could understand English or if Defendant was deaf and then, in clear language, informed Defendant of the following in a manner consistent with Code of Crim. Procedure Articles 38.30 and 38.31.

Admonishments: The Magistrate informed Defendant:

- ☐ of the accusation against Defendant (as indicated above under "Charge") and of any affidavit filed therewith;
- ☐ of Defendant's right to retain counsel;
- ☐ of Defendant's right to request the appointment of counsel if Defendant is indigent and cannot afford counsel;
- ☐ of the procedures for requesting appointment of counsel; ☐ of Defendant's right to remain silent;
- ☐ that Defendant is not required to make a statement and that any statement made by Defendant may be used against Defendant.
- ☐ of Defendant's right to have an attorney present during any interview with peace officers or attorneys representing the State;
- ☐ of Defendant's right to terminate the interview at any time;
- ☐ of Defendant's right to have an examining trial;
- ☐ that if Defendant is not a citizen of the United States, Defendant may request that the Magistrate contact Defendant's country.

Request for Attorney: The undersigned Magistrate asked Defendant if Defendant wanted to request that the Judge appoint an attorney. The Defendant:

- ☐ DOES NOT want to request the appointment of an attorney at this time.
- ☐ DOES want to request the appointment of an attorney, and the undersigned provided Defendant the forms necessary to request appointment of an attorney and provided reasonable assistance to complete the forms.

Probable Cause and Order Setting Bond:

- ☐ Defendant was arrested **UNDER A WARRANT** and bond is set at \$_____.
- ☐ Defendant was arrested **WITHOUT** a warrant and, based upon the attached complaint or other evidence presented, the Magistrate finds that **THERE IS PROBABLE CAUSE** to believe Defendant committed the crime indicated above. Bail is set at \$_____.
- ☐ Defendant was arrested **WITHOUT** a warrant and the Magistrate **DID NOT** find probable cause that Defendant committed a crime. Defendant shall be released from custody on a Personal Recognizance Bond:
 - ☐ \$5,000 for Misdemeanor **OR** ☐ \$10,000 for a Felony charge

Additional Conditions of Bond: In addition, the bond shall have the following additional conditions:

- ☐ No additional conditions.
- ☐ DWI Additional conditions: (1) have installed on the motor vehicle owned by the Defendant or on the vehicle most regularly driven by the Defendant, a device that uses a deep-lung breath analysis mechanism to make impractical the operation of a motor vehicle if ethyl alcohol is detected in the breath of the operator; and (2) not operate any motor vehicle unless the vehicle is equipped with that device.
- ☐ The Defendant is accused of an offense under one of the following sections of the Penal Code and the alleged victim is a child 12 years of age or younger: Chapter 21 (Sexual Offenses) or 22 (Assaultive Offenses); Section 25.02 (Prohibited Sexual Conduct); or Section 43.25 (Sexual Performance by a Child). Therefore the bond shall include conditions that the Defendant not directly communicate with the alleged victim of the offense or go near a residence, school, or other location, as specifically described below, frequented by the alleged victim: _____.
- ☐ The following reasonable condition of bond related to the safety of a victim of the alleged offense or to the safety of the community: _____.

☐ **PR BOND** if not filed after 15 days

☐ **PR BOND** if not filed after 30 days

Date Signed:

I acknowledge that I have received the foregoing information.

Magistrate

Defendant's Signature